

# How a proposal becomes a constitutional amendment

Amendments to the Commonwealth of the Northern Mariana Islands Constitution can be proposed by constitutional convention, by popular initiative, or by legislative initiative. The Third Northern Mariana Islands Constitutional Convention opened on June 5 and is now in session. Here is a look at the road that a proposed constitutional amendment must take to make it from the mind of a convention delegate to an actual amendment:

(1) A constitutional convention delegate brings a general idea or proposal before the legal counsel for review and introduces it to the convention.

(2) The proposal is assigned to one of the four convention committees for review. The committee decides if the proposal is substantive, and whether or not to hold public hearings on the proposal.

(3) The committee reports its recommendation on the proposal to the full convention,

which will review and debate the proposal under a "committee as a whole".

(4) The convention will return from the "committee as a whole" deliberations to decide if additional consideration and input is needed on the proposal.

(5) Either the proposal will be subject to more deliberations and review, or the convention will deem the proposal ready for a vote by the delegates.


(6) To be approved by the convention, any proposal must be approved by at least two-thirds of the delegates. With 27 delegates, that means at least 18 votes are required to approve a proposed amendment to the CNMI Constitution.

(7) Once approved, a proposal will be readied for placing on the ballot for the people to vote on it.


(8) Amendment 39 of the

existing CNMI Constitution mandates that proposed constitutional amendments shall be submitted to voters for consideration at the next general election, or at a special election established by law. Since there is no existing law establishing a special election, if nothing is changed, the people will vote on proposed constitutional amendments in this November's general election. However, a proposal has been made by several convention delegates to have the (special) election date for proposed amendments set for six months from the end of the convention, which is scheduled to last 60 days, plus a possible additional 15 days. A proposal to change the election date, to allow for more public education and public debate on proposals, has been approved by the House and is now pending in the Senate.


(9) In order to be approved as a constitutional amendment, according to the existing Constitution, a proposed amendment must be approved by a majority of the votes cast Commonwealth-wide, and by at least two-thirds of the votes cast in each of two senatorial districts.



SUSAN RICHARDSON



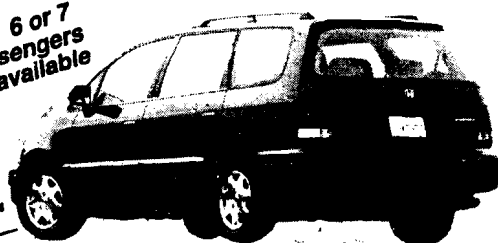
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# Con Con gambling proposal prepared

## Hearing today on Article 12

By DAN PHILLIPS

The Third Northern Mariana Islands Constitutional Convention is ready to recommend approval of a proposal that would allow only the people of each senatorial district to vote on casino gambling.

Yesterday's meeting of the Convention was brief, as the members wanted to pay their respects to the late mother of Del. Carlos S. Camacho. She passed away earlier in the morning.

The delegates also presented a resolution in honor of the late House Vice Speaker Jesus P. Mafnas to members of Mafnas' family, including his widow, Susana T. Mafnas.

Before the Convention adjourned, Delegate Tom Aldan revealed that the Convention's Committee on the Legislative Branch and Public Finance, which he chairs, is ready to report on three proposals.

The proposals are:

- A prohibition on casino gambling, which would be reflected by amending Article XXI of the Constitution.

The proposal would amend

the CNMI Constitution to read, "Casino gambling is prohibited in the Northern Mariana Islands except in any senatorial district when approved in a popular initiative by the affirmative vote of two-thirds of the persons qualified to vote in that district. This article does not prohibit any gambling activities in the Commonwealth to the extent authorized by law as of June 5, 1995."

In its report, the committee noted that the "people of Rota, Tinian and Saipan have widely different views on this subject and have assessed the potential risks and benefits differently. Accordingly, the committee concluded that each senatorial district should be allowed to make this decision for its own inhabitants only by popular initiative."

- The repeal of Article VIII, Section 3 of the CNMI Constitution, which deals with election laws.

The committee found that since the CNMI has a comprehensive set of election laws, this provision of the Constitution, which gave the Legislature the authority to make elec-

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tion laws, is no longer needed.

- The repeal of Article VII, Section 3 of the Constitution, which deals with voter eligibility.

The committee found that since the Legislature has already "enacted a comprehensive program specifying qualifications to vote in the Commonwealth, the committee concluded that there is no further need for section 3." Section 3 gave the authority to the Legislature to make laws involving the domicile and residence requirements of voters.

The committee rejected a proposal that would have required any person who lives in a particular senatorial district for more than one year to vote there, saying, "CNMI officials and the courts have adequately dealt with any perceived problems arising from CNMI citizens who attempt to vote in a senatorial district where they do not in fact reside."

In addition, the committee rejected a proposal to limit the right to vote to U.S. citizens only. The Constitution currently extends that right to both U.S. citizens and U.S. nationals. The committee noted that a few CNMI people chose to become U.S. nationals, instead of citizens, when the Covenant was approved.

The Convention's main order of business for today will be a public hearing on issues involving Article 12 of the Constitution, which restricts ownership in CNMI land, as well as leases of more than 55 years, to people of Northern Marianas descent.

Delegate Marian Aldan-Pierce, who has been actively involved in dealing with Article 12-related issues, said two hotly debated areas are the definition of "Northern Marianas descent" and the rights of children adopted by people of Northern Marianas descent.

She said that there are proposals to change the percentage of Chamorro or Carolinian blood that a person must have in order to be considered as being "of Northern Marianas descent."

The current minimum is 25 percent, but Aldan-Pierce said that there are proposals to lower that to as low as 1 percent.

Aldan-Pierce also said that she favors allowing adopted children to be able to inherit private land, but not homestead land.

She also revealed that the convention delegates are likely to hold a series of public hearings on Rota and on Tinian, most likely beginning near the end of this month.

*Imbue 6/14/95*